

ARC-2914R1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 6-01-00

By: Pauline M. Shafghaichi

#5
7-15-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Berry et al.)	Group Art Unit: 1615
)	
Application No.: 09/497,422)	Examiner: Not Assigned
)	
Filed: February 03, 2000)	
)	
For: Stable Non-Aqueous Single Phase Viscous)	
Vehicles and Formulations Utilizing)	
Such Vehicles)	

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, D.C. 20231

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Sir:

Attached is a copy of the Official Filing Receipt received from the PTO in the above application, for which issuance of a corrected filing receipt is respectfully requested.

There are two errors in the title of the application, as evidenced by the enclosed copy of page 1 of the Specification. A copy of the Filing Receipt, showing the correction is also enclosed.

The correction is not due to any error by applicant. No fee is due.

Respectfully submitted,

6/1/00
Date

Pauline Ann Clarke
Pauline A. Clarke, Reg. No.: 29,783
For Applicants

ALZA Corporation
1900 Charleston Road, P.O. Box 7210
Mt. View, CA 49039
650-564-5560

FILING RECEIPT



OC00000005059648

UNITED STATES DEPARTMENT OF
COMMERCE
Patent and Trademark OfficeAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/497,422	02/03/2000	1615	1406	ARC2914R1	8	38	4

22921
ALZA CORPORATION
P O BOX 7210
INTELLECTUAL PROPERTY DEPARTMENT
MOUNTAIN VIEW, CA 940397210

RECEIVED

JUL 13 2000

TECH CENTER 1600/2000 Date Mailed: 04/18/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stephen A. Berry, Hollister, CA ;
Pamela J. Ferreira, Redwood City, CA ;
Houdin Dehnad, El Granada, CA ;
Anna Muchnik, Belmont, CA ;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/119,170 02/08/1999

Foreign Applications

If Required, Foreign Filing License Granted 04/18/2000

**

Title

Stable non-aqueous single phase viscous vehicles and formulations utilizing such vehicles

Preliminary Class

424

utilizing

RECEIVED

MAY 02 2000

PATENT DEPT.

Data entry by : MEREDITH, WANDA

Team : OIPE

Date: 04/18/2000



LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

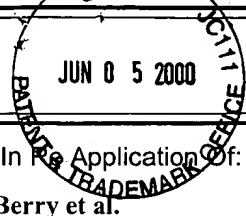
No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
 Office of Initial Patent Examination
 Customer Service Center
 Washington, DC 20231

		TRANSMITTAL LETTER (General - Patent Pending)		Docket No. ARC2914R1	
In Patent Application Of: Berry et al.					
Serial No. 09/497,422		Filing Date February 3, 2000		Examiner Unassigned	
Group Art Unit 1615					
Title: STABLE NON-AQUEOUS SINGLE PHASE VISCOUS VEHICLES AND FORMULATIONS UTILIZING SUCH VEHICLES					
<p style="text-align: center;"><u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u></p> <p>Transmitted herewith is:</p> <p style="margin-left: 40px;"> Request for Corrected Official Filing Receipt Copy of original Filing Receipt showing correction Copy of Page 1 of Specification Acknowledgement Postcard </p> <p style="text-align: right; margin-right: 100px;">JUL 13 2000</p> <p>in the above identified application.</p> <p> <input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input type="checkbox"/> The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 01-1173 as described below. A duplicate copy of this sheet is enclosed. <ul style="list-style-type: none"> <input type="checkbox"/> Charge the amount of _____ <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. </p> <div style="display: flex; justify-content: space-between; margin-top: 50px;"> <div style="width: 40%;"> <p style="font-size: 1.2em; font-family: cursive;">Pauline Ann Clarke</p> <p style="text-align: center; font-size: 0.8em;">Signature</p> </div> <div style="width: 40%;"> <p>Dated: 6/1/00</p> </div> </div>					
<div style="border: 1px solid black; padding: 5px; margin-top: 20px;"> <p>I certify that this document and fee is being deposited on 6-01-00 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.</p> <p style="font-family: cursive; font-size: 1.1em;">Katrina M. Ghafghaichi</p> <p style="text-align: center; font-size: 0.8em;">Signature of Person Mailing Correspondence</p> <p>Katrina M. Ghafghaichi</p> <p style="text-align: center; font-size: 0.8em;">Typed or Printed Name of Person Mailing Correspondence</p> </div>					
CC:					



Bib Data Sheet


FILE COPY
 UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office

 Address: COMMISSIONER OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

SERIAL NUMBER 09/497,422	FILING DATE 02/03/2000 RULE _	CLASS 424	GROUP ART UNIT 1615	ATTORNEY DOCKET NO. ARC2914R1
APPLICANTS Stephen A. Berry, Hollister, CA ; Pamela J. Ferreira, Redwood City, CA ; Houdin Dehnad, El Granada, CA ; Anna Muchnik, Belmont, CA ;				
** CONTINUING DATA ***** THIS APPLN CLAIMS BENEFIT OF 60/119,170 02/08/1999 JUL 13 2000 TECH CENTER 1600/2660				
** FOREIGN APPLICATIONS *****				
IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** 04/18/2000				
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged Examiner's Signature _____ Initials _____		STATE OR COUNTRY CA	SHEETS DRAWING 8	TOTAL CLAIMS 38
INDEPENDENT CLAIMS 4				
ADDRESS 22921				
TITLE Stable non-aqueous single phase viscous vehicles and formulations utilizing such vehicles				
FILING FEE RECEIVED 1406	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees (Filing) <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) <input type="checkbox"/> 1.18 Fees (Issue) <input type="checkbox"/> Other _____ <input type="checkbox"/> Credit	



STABLE NON-AQUEOUS SINGLE PHASE VISCOUS VEHICLES
AND FORMULATIONS UTILIZING SUCH VEHICLES

5 Field of the Invention

This invention relates to stable non-aqueous single phase biocompatible viscous vehicles capable of suspending beneficial agents and uniformly dispensing said agents at low flow rates and more particularly to stable uniformly mixed formulations of beneficial agents in stable non-
10 aqueous single phase biocompatible viscous vehicles.

References

The following references are referred to by numbers in brackets ([]) at the relevant portion of the specification.

- 15 1. Wang, et al., *J. Parenteral Sci. Tech*, **42**: S4-S26 (1988).
2. Desai, et al., *J. Am. Chem. Soc.*, **116**: 9420-9422 (1994).
3. Chang, et al., *Pharm. Tech.*, 80-84 (Jan. 1996).
4. Manning, et al., *Pharm. Res.*, **6**: 903-918 (1989).
5. Hageman, *Drug Dev. Ind. Pharm*, **14**: 2047-2070 (1988).
- 20 6. Bell, et al., *Biopolymers*, **35**: 201-209 (1995).
7. Zhang, et al., *Pharm. Res.* **12**: 1447-1452 (1995).
8. PCT published application 98/00158
9. PCT published application 98/16250
10. Knepp, et al., *Pharm. Res.* **15** (7) 1090-1095 (1998).
- 25 11. PCT published application 98/00157
12. PCT published application 98/00152
13. U.S. Patent 5,540,912
14. U.S. Patent 5,571,525
15. U.S. Patent 5,512,293
- 30 16. PCT published application 96/40049
17. Yu, et al., *J. Pharm. Sci.*, **85**: 396-401 (1996).
18. Mitchell, U.S. Patent No. 5,411,951 (1995).
19. Brooks, et al., U.S. Patent No. 5,352,662 (1994)